

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>JEFFREY M. REIFF and DOMINIQUE REIFF</b>	:	
	:	
<b>Plaintiffs,</b>	:	<b>CIVIL ACTION</b>
	:	
<b>v.</b>	:	
	:	
<b>GAF MATERIALS CORP.</b>	:	<b>No. 10-1142</b>
<b>Defendant.</b>	:	

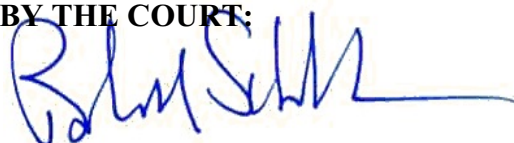
**ORDER**

**AND NOW**, this 6<sup>th</sup> day of **August, 2010**, upon consideration of Defendant's Motion for Partial Dismissal of Claims Under Fed. R. Civ. P. 12(b)(6) and Plaintiffs' response thereto, and for the reasons stated in the Court's Memorandum dated August 6, 2010, it is hereby

**ORDERED** that:

1. Defendant's Motion for Partial Dismissal of Claims Under Fed. R. Civ. P. 12(b)(6) (Doc. No. 7) is **GRANTED**.
2. Counts I and III of Plaintiffs' Complaint are hereby **DISMISSED**.
3. Defendants shall file an Answer to Plaintiff's Complaint no later than Monday, August 16, 2010.

**BY THE COURT:**



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**Berle M. Schiller, J.**